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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

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In re:	: Chapter 11
	:
CIRCUIT CITY STORES, INC., <u>et al.</u> ,	: Case No. 08-35653 (KRH)
	:
Debtors.	:
-----	: Jointly Administered
	x

**LIQUIDATING TRUST'S NOTICE OF WITHDRAWAL,
WITHOUT PREJUDICE, OF DEBTORS' NINTH OMNIBUS OBJECTION
TO CERTAIN (I) LATE CLAIMS AND (II) LATE 503(B)(9) CLAIMS
SOLELY WITH RESPECT TO THE CLAIM OF SIMLETECH
BY HITACHI GLOBAL STORAGE TECHNOLOGIES, INC. [CLAIM NO. 11495]**

On June 3, 2009, Circuit City Stores, Inc, *et al.*, the above-captioned debtors, filed the
Debtors' Ninth Omnibus Objection to Certain (i) Late Claims and (ii) Late 503(b)(9) Claims

[Docket No. 3509] (the “Late Claim Objection”) in these cases. The Late Claim Objection contained an objection to Claim No. 11495 filed by SimpleTech by Hitachi Global Storage Technologies, Inc. f/k/a SimpleTech A Fabrik Company (“Hitachi Global”).

The Second Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and its Affiliated Debtors and Debtors In Possession and its Official Committee of Creditors Holding General Unsecured Claims (the “Plan”) was confirmed on September 10, 2010 and became effective on November 1, 2010. Pursuant to the Plan and Liquidating Trust Agreement approved therewith, the Liquidating Trust assumed the right and responsibility of claims resolution in these cases.

On November 9, 2010, Alfred Siegel, as trustee of the Liquidating Trust (the “Trustee”), filed *The Liquidating Trustee’s Complaint to Avoid and Recover Preferential Transfers and Other Amounts Owing to the Estate and Objection to Claim Nos. 11495 and 7949* (the “Complaint”) against Hitachi Global, Fabrik, Inc. and SimpleTech, Inc., Adversary Proceeding No. 10-03614. In the Complaint, the Trustee raised, among other things, substantive objections to Claim No. 11495.

The Liquidating Trust hereby withdraws, without prejudice, the Late Claim Objection solely with respect to Claim Number 11495.

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